

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12770 of 2026

Arising Out of PS. Case No.-457 Year-2025 Thana- NASRIGANJ District- Rohtas

Krishna Kumar @ Raja Choudhary S/o Mahendra Choudhary R/o Village-
Panduri, P.S- Nasriganj, Dist- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-03-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case under the Excise Act and
allegation is of recovery of 150 litres of liquor from a sack along
with a motorcycle. It is next submitted that petitioner is not
arrested from the spot as such nothing was recovered from his
conscious possession and is not the owner of the seized vehicle
and he came to be implicated at the instance of chowkidar but
then it is submitted that if chowkidar was aware of the
involvement of the petitioner in the occurrence then why he did



not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution. It is also submitted that it appears that chowkidar in order to save the real culprit falsely implicated the petitioner.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Nasriganj P.S. Case No.457/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than one case, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with but if after verification it is found that petitioner



has antecedent of one case, in that event the provisional
anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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